

here depends on a conviction—a conviction of domestic violence. That is a guilty verdict after a just trial, an adjudicated-fairly trial. Due process is completely intact, fully present, and I will not be compromised on that, I can promise you.

Two, domestic violence does not mean emotional distress. Domestic violence does not mean a verbal argument. Domestic violence means a violent crime.

Three, not a single innocent or law-abiding gun owner will or should be impacted. Today there are women trapped in relationships with violent criminals, our daughters and mothers, our friends, and our neighbors.

Convicted violent criminals have proven themselves to be unfit to fully participate in our society. We can't choose to just protect women with a ring on their finger from violent abusers. We must hold violent criminals accountable. Let's protect our daughters and punish the criminals.

Speaking from personal experience, domestic violence is a crime worth being tough on.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I rise today to share my support of the ongoing bipartisan efforts to reauthorize the Violence Against Women Act.

As you know from the prior speaker, the distinguished Senator, negotiations to reauthorize the Violence Against Women Act on a bipartisan basis have been ongoing now for three years. Since the beginning of this year, my office has been working closely with Senator ERNST's, Senator DURBIN's, and Senator MURKOWSKI's offices to negotiate bipartisan agreement to reauthorize this important and critical law. I am thrilled that we are now able to share that we have reached a bipartisan framework which will strengthen, modernize, and reauthorize the Violence Against Women Act.

We are committed to introducing this bill next month. This bipartisan agreement would reauthorize the Violence Against Women Act through 2026 and provide important opportunities to modernize the law that has been so critical to protecting and supporting survivors of domestic violence, dating violence, sexual assault, and stalking.

Our bipartisan agreement would enhance and expand services for survivors of domestic violence—including survivors in rural communities, LGBT survivors, survivors with disabilities, and survivors who experience abuse later in life.

Our agreement would reauthorize and strengthen the criminal justice response to domestic violence, including by improving the Justice Department's STOP grant program, closing the "dating partner loophole" on a prospective basis, and strengthening the ability of Tribal courts to address instances of domestic violence on Tribal land.

Our agreement would also invest in prevention education efforts. It would expand access to emergency housing support for domestic violence survivors, and it would improve the healthcare response to sexual violence across the country.

These protections are urgently needed, and the time to act is now. I have been here for a while. I have never seen the coming together of the two sides of the aisle any stronger than it is now to work together to solve this problem. So I look forward to participating in the introduction of this bipartisan bill to reauthorize the Violence Against Women Act next month.

NOMINATION OF HOLLY A. THOMAS

Mrs. FEINSTEIN. I would, if I could, also like to speak briefly in support of Holly Thomas, who has been nominated to serve as a judge on the U.S. Court of Appeals for the Ninth Circuit. Judge Thomas is an experienced appellate litigator and currently serves as a judge of the Superior Court of Los Angeles County. And I hope my colleagues will support her.

Mr. President, I rise today in support of the nomination of Holly Thomas to serve as a judge on the U.S. Court of Appeals for the Ninth Circuit.

Judge Thomas is an experienced appellate litigator and sitting State court judge in California. I believe she would make an outstanding addition to the Ninth Circuit.

Her credentials are impeccable. She is a graduate of Stanford University and Yale Law School.

After law school, Judge Thomas spent more than a decade gaining experience and insight into the Federal appeals courts as a litigator whose primary focus was on appellate cases. She has served as a public interest lawyer with the NAACP, in the Federal Government as an appellate attorney with the Civil Rights Division of the Justice Department, and in State government in both California and New York.

Though she began her career as an appellate litigator, Judge Thomas has been fascinated by judicial service since her childhood. When she was a young child, her mother—who was a bookkeeper—would take her to the San Diego courthouse to watch the legal proceedings in court.

So it is fitting that in 2018, she was appointed to serve as a judge on the California Superior Court for Los Angeles County. Judge Thomas works in the Family Law Division, where she hears between 10 and 30 cases on average each day, including a mix of hearings and trials. She has also served on a temporary basis as a State appeals judge on the California Court of Appeal for the Second Appellate District.

Judge Thomas has a breadth of experience and knowledge that would make her well-suited to sit on the Ninth Circuit. If confirmed, Judge Thomas would be the first Black woman to serve on the Ninth Circuit from California and only the second Black woman to ever serve on the Ninth Circuit.

I encourage all my colleagues to vote for her confirmation.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Violence Against Women Act

Ms. MURKOWSKI. Mr. President, I am pleased to be on the floor today with my colleagues, both the Senator from Iowa behind me and the Senator from California, because I want to thank them publicly for their leadership as they work to address these issues of domestic violence. They have been leaders in this arena for years, and I appreciate that.

I am pleased to have worked with them on this framework that has been discussed by both Senators and to acknowledge the work of Senator DURBIN as part of this initiative as well.

I think as both of them have spoken, it is recognized that this is a matter of urgency. This is a matter for all of us, on a bipartisan basis. Domestic violence, unfortunately, knows no political bounds, and our response to those who are truly among the most vulnerable of us—that response—should also be bipartisan.

So I want to commend Senator ERNST, Senator FEINSTEIN, Senator DURBIN for their work in really coming to find common ground on this very important matter. It has been years—

Mrs. FEINSTEIN. Permit me a moment to interrupt you.

Ms. MURKOWSKI. Please.

Mrs. FEINSTEIN. One of my great joys is to work on a bipartisan basis, and the Senator from Alaska has been just wonderful. She is a 10, in my book.

You have listened to us on this side. Our staffs have been able to work closely together, and I think, thanks to you, we have a workable, bipartisan product. So I just want to say thank you. I wish the Senate could be more like this all the time, but I think we made a great notch in the right track. So thank you very much.

Ms. MURKOWSKI. Well, thank you.

Again, it takes a lot of people, and the years that Senator ERNST has been working this initiative on this side of the aisle is something that, again, we want to build on, and we need to build on it together.

It has been years in the making. The last time we had a VAWA reauthorization was VAWA 2013, and so we are high past time to be addressing this very significant matter.

No compromise is perfect. I think everyone recognizes that. But what has been developed through this framework is a proposal that will really help to prevent violence, to support our survivors, and to hold perpetrators to account.

The effort to be here where we are today on the floor, speaking to this, is one thing, but we all want to get to that next step, which is filing the legislation so we can get it moving through this process, and I look forward to doing that in the new year.

I can tell you, as a Senator from Alaska, this is an extraordinarily pressing issue in my State. As the vice chairman of the Indian Affairs Committee, I can affirm that this is a very real need across Native lands, and it is the disproportionate victimization of Native people that I want to focus my comments on today.

By now, I would hope that every Senator understands the crisis of missing and murdered indigenous women and girls. We refer to this as MMIW. That is why we passed Savanna's Act and the Not Invisible Act.

I want to acknowledge my colleague, who has been working this issue with us for so long, Senator CORTEZ MASTO.

I think we recognize that we have made good progress there, but to fully address the root causes of this crisis—the high rates of domestic violence, sexual assault, and trafficking, the violent crime in Native communities—we have an awful lot more to do.

The rates of violence experienced by Alaska Natives are particularly horrific, and the statistics should shock us all. I repeat them a lot, and they still shock me. According to a report prepared by the Indian Law and Order Commission, Alaska Native women are overrepresented by nearly 250 percent among female domestic violence victims around our country.

Putting it in context here, a couple years ago, there was an investigation that was conducted by Anchorage Daily News that determined that one in three Native communities in rural Alaska has no local law enforcement that is physically present, leaving Native women and children at greater risk of violence. Think about what that means for just a minute, to live in a community where there is no one to turn to, no law enforcement presence to turn to. Maybe you are able to share your story with a local health aide there, but that is about as far as you can go.

Beyond that, you have many Alaskan Tribes that lack the tools they need to address violence in their communities.

A couple years ago, the Attorney General at the time, William Barr, was invited to the State and came up, and we said: We need to get you out to one of these remote villages.

He saw firsthand, and he was so dramatically impacted after his just multiple hours on the ground there, he declared a law enforcement emergency—a law enforcement emergency—after hearing directly from those who had suffered due to lack of public safety. He said at the time that it was harder for him to imagine a more vulnerable population than the women and children he saw in rural Alaska. He took that back to DC with him and acted on it. His declaration was based on the fact that Alaska has the highest per capita crime rate in this country, and, of course, we face very unique geographic and jurisdictional landscapes.

Then comes COVID-19, and you have a pandemic where you have to be in

your social bubbles, you have to be inside, and you have to be where it is safe to be away from the virus, but that safe place was not a safe place for far too many people.

Last summer, rural Alaska saw five domestic violence homicides in 10 days. Again, these are small, rural communities—five homicides in a matter of 10 days; domestic violence. In the 5 weeks after the State of Alaska declared a public health disaster due to the coronavirus pandemic, calls to our domestic violence shelter increased by 52 percent.

You cannot let this go unaddressed. We have an opportunity here in this Congress to build on our previous work with VAWA 2013, where we have taken steps to resolve jurisdictional complexity when it imperils the safety of people. The jurisdiction issues should not deny justice. It just should not.

In the 2013 reauthorization of VAWA, Congress recognized the inherent authority of Tribes to prosecute and punish certain domestic violence crimes committed by non-Indians against Indian people.

At the time, that was described as unprecedented, and some Members of Congress and the media as well pushed a narrative that Tribal governments somehow were not going to be fair, that they would not safeguard the rights of non-Indian defendants. We knew that was going to be far from the truth, and nearly 8 years later, despite all of the horror stories that were predicted, the record shows that non-Indian defendants experienced a Tribal justice system that treats them fairly and in some ways with more attention than State or Federal systems.

So I think now what we need to focus on, folks, we need to focus on the real horror story, and that horror story is the acts of violence being perpetrated against Native women and children. So I have set out to do that through the Tribal title that will be included in this larger VAWA reauthorization once it is introduced.

Chairman SCHATZ, on the Indian Affairs Committee, and I have worked on this together. We posted our text to the committee website last week. Our title closes loopholes and builds upon the success of the 2013 reauthorization, and we include specific solutions to protect Alaska Native people.

The Tribal title will further restore and improve the implementation of the special Tribal criminal jurisdiction over non-Indians who commit violent crimes in Native communities, and it will do so by allowing Tribes that exercise this special jurisdiction to charge defendants with crimes that are adjacent to domestic violence, such as violence against children or assault on law enforcement.

I think it is important to know that children were involved in 58 percent of all incidents of domestic violence in these VAWA 2013 cases. This is according to a report by the Federal Government a couple years ago, in 2019. By

empowering Tribal courts this way, we can help combat this major public safety issue.

American Indians and Alaska Natives are the victims of rape, sexual assault, and domestic violence in numbers far out of proportion to the level these crimes are committed outside of Native communities. This is a moral imperative. It is a wrong that we must make right, and we also need to do it in a way that recognizes the unique situation we have in the State of Alaska.

You are going to hear later discussion about ANCSA. Two days from now is the 50th anniversary of the Alaska Native Claims Settlement Act. ANCSA created a new approach to Tribal land tenure that is very, very different from the lower 48 reservation system. While Alaska is home to almost 40 percent of the Tribes in the country, we have only one Indian reservation in the State.

After the Supreme Court decision in the *Venette* case in which the Court held that ANCSA lands are not “Indian Country,” it became the State's duty, largely alone, to provide for public safety and justice for Alaska Natives.

The Tribal title that we have developed includes an Alaska solution to a complex jurisdictional situation. It includes an Alaska pilot program which builds on previous legislation that I have introduced and will empower a limited number of Alaskan Tribes to exercise special criminal jurisdiction over certain crimes that occur in villages in Alaska.

Similar to how the pilot rolled out for the lower 48 Tribes, Alaskan Tribes will have to meet certain criteria, including having a Tribal justice system that can adequately and appropriately safeguard the rights of defendants.

In addition to the provisions essential to bringing justice and safety to Alaska Native people, our critical legislation will ensure that VAWA's tools and resources will better serve the needs of survivors of domestic violence, dating violence, sexual assault, and stalking.

I am proud to have authored text that will help to address this ongoing epidemic that Alaska faces with violence, which has left long-lasting trauma for too many of our women, our children, and our families. Congressman YOUNG on the House side has introduced similar language to help in this. We simply cannot allow survivors and the needs of the most vulnerable to go unmet.

Very quickly, I want to just outline a couple different provisions that are contained in this bipartisan framework that recognize some of the matters we have been working on in Alaska.

There is a provision named in memory of an Alaskan, Breanna Moore. Bree's Law is what we call it. In 2014, Cindy and Butch Moore experienced a tragedy that no parents should ever have to experience. They received a call that their 20-year-old daughter had been shot by her boyfriend in Anchorage. In the wake of that devastation,

they turned their energy to and they put their hearts and their passion into working around the State and now at the Federal level to ensure that education is provided to teens to prevent future tragedies. So Bree's Law drives education initiatives to enable youth, parents, and advocates to recognize, prevent, and mitigate teen dating violence.

Another provision addresses support services for victims. We know it is difficult to access the necessary medical forensic services in Alaska. These allow for evidence collection and aid in a survivor's journey to justice.

While we have very troubling statistics on sexual assault and domestic violence, Alaskans have also been on the frontlines of innovation, offering solutions. The Alaska Comprehensive Training Forensic Academy, which is a pilot program run through the University of Alaska Anchorage, is making a difference in the lives of Alaskans who have experienced interpersonal violence.

Built on the belief that all victims of violence deserve evaluation and care from forensically trained healthcare providers, I have been able to secure some provisions in our VAWA proposal that will allow other universities and States to model the successful program and expand access to trauma-informed care.

There is clearly a public safety crisis that we are dealing with in rural Alaska and across Indian Country, but we have an opportunity in this Congress to work together across the aisle to find solutions and to restore justice. I look forward to building strong, bipartisan support for VAWA reauthorization that will make a positive difference in the safety of Native communities and for victims of domestic violence and entire communities in Alaska and, of course, across the country.

We must let our women, children, and families who have been affected by devastating violence know that you are here and that we stand with you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois recognized.

Mr. DURBIN. Mr. President, I just want to join the comments of Senator MURKOWSKI and Senator ERNST and Senator FEINSTEIN. I want to thank them for allowing me to join a pretty power-packed team working on the Violence Against Women Act.

Senator FEINSTEIN is our lead sponsor on the Democratic side. I am happy to work with her all the time. I want to especially thank Senator ERNST on the Republican side, who has been designated as the official negotiator on the reauthorization of VAWA for the last 3 years, and, as you have just heard, a passionate supporter of our efforts, Senator LISA MURKOWSKI of Alaska—we worked closely together on other legislation, and this one is extremely important.

This afternoon, Senators ERNST, FEINSTEIN, MURKOWSKI, and myself

have announced that we have reached a bipartisan agreement and that we will be introducing an updated version of VAWA next month when we return. We are coming together in supporting the simple premise that VAWA will save lives. We need to ensure every survivor, whether they live in rural Alaska or urban Illinois, can reach out for a lifeline in a moment of crisis.

We still have work to do. We still need cosponsors. We are going to be working individually, Member to Member, to make sure this important legislation passes.

It is a statistic that should shock us all: Nearly one in three women living today—nearly one in three—has experienced some form of physical or sexual violence. That finding came from the WHO, surveying women in more than 160 countries across the globe. It proves that this crisis of sexual and domestic violence touches every community in the world. But our responsibility, first, is here at home, in all of the 50 States, to make sure that we are doing everything we can to protect women who are vulnerable.

Let me tell you about one of those survivors; her name is Meaghan. And she reached out to my office to share her story. Five years ago, Meaghan was brutally assaulted by her ex-husband. The beating was so violent that, today, she is still suffering from hearing loss.

While Meaghan was being attacked, her 2-and-half-year-old son—who is on the autism spectrum—ran over to help her. Her ex-husband responded by throwing the child through a closet. Meaghan says the experience was so traumatizing that her son didn't speak for a full year after the attack.

When Meaghan finally broke free from her ex-husband, she packed her bags, buckled her two children into the car, and fled for her life. But he continued tracking her, requiring Meaghan and her children to move 10 times in the last few years.

As Meaghan and her family have begun to heal from this horrifying ordeal, she says they have found much-needed compassion and support in the detectives and social workers that came to their aid.

She wrote that service providers "were patient with me and didn't push me, [they] only showed me they cared, and most of all didn't give up . . . with their support and guidance I found the light at the end of the tunnel and I fought my way out of the darkness that my ex-husband had cast . . . on my life."

Meaghan's story illustrates how laws like VAWA have the potential to change—and even save—lives. In her case, VAWA provided critical resources to law enforcement and social service agencies that helped her and her family escape a perilous situation.

And today, at a moment when sexual and domestic violence are on the rise in America, we need to do more than reauthorize VAWA. We need to build on its achievements—and we need to do it on a bipartisan basis.

I thank the group for allowing me to join them.

We have work to do, and I am looking forward to doing it with you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I ask unanimous consent to speak for up to 10 minutes prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF HOLLY A. THOMAS

Mr. SULLIVAN. Mr. President, the next vote is going to be a motion to discharge from the Judiciary Committee Judge Holly Thomas for the U.S. Court of Appeals for the Ninth Circuit. I am going to vote no because I have not had the opportunity to actually meet Judge Thomas.

In a remarkable undermining of senatorial tradition, the Biden administration White House is now saying that no Senator is allowed to meet a circuit court judge prior to the confirmation vote of that judge.

The Presiding Officer might be tilting his head at me like that seems crazy. Well, it is crazy. Every Ninth Circuit judge—a court of appeals that has enormous power over my State—who has been nominated by any President since I have been a U.S. Senator, I have met with to discuss issues. This is part of our advice-and-consent role. Yet this White House is now saying no Senator can meet with a circuit court judge, even for an hour, prior to the vote despite the fact that they are getting ready to have life tenure.

This is in line with this administration and with, unfortunately, some of my Democratic colleagues who are just smashing institutional norms in this body that have significant bipartisan support.

We saw the junior Senator from Massachusetts yesterday saying she wants to pack the Supreme Court. I am sure that is going to lead to a charge of other Democrat Senators. My colleagues are all very focused on getting rid of the filibuster despite the fact that more than half the Democratic conference, in April of 2017, wrote a letter to the majority and minority leaders of the Senate, saying: Don't get rid of the filibuster. Now only JOE MANCHIN and KYRSTEN SINEMA seem to be the ones defending it. I would love it if the press asked questions of the other 26 of my Democratic colleagues who, just 4 years ago, said: Don't do this. But this norm that is being undermined right now—of Senators being able to meet with nominees to circuit courts—is a new low.

I raised this with senior Biden administration White House officials just last week, and they said they would look into it. They seemed a little confused. The White House Counsel for the President finally called me back after I had been trying to get ahold of her because I had heard it was her idea. Then I asked her "Why are you doing this?"

By the way, the Trump administration didn't do this. To the contrary,